

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. Reconsideration of the application is requested in view of the comments made herein.

Claims 1-3, 15, 18, 19, 56, and 57 were rejected under 35 U.S.C. 102(b) as being anticipated by Dignard et al. (U.S. Patent No. 4,662,630). Traversal of this rejection is made for at least the following reasons. Dignard does not disclose an image secured to a first mounting plate, and a spring secured to the first mounting plate such that the spring facilitates a wobble movement of the mounting plate and image in a clockwise and counterclockwise manner, as recited in claim 1. The Examiner relies on striking board 14, third mounting member 33, and spring 53 of Dignard as being equivalent to the claimed image, mounting plate, and spring, respectively. There is nothing in Dignard that expressly or inherently describes the striking board 14 as an image. Rather, the striking board 14 is “a central solid member 21, such as a piece of plywood shaped as shown, and a layer of padding 23.” No mention of using that striking board as an image is found anywhere in the reference. As stated in Section 2131 of the MPEP, in order to anticipate a claim, the identical invention must be shown in as complete detail as is contained in the claim. Further, the striking board 23 is not configured to wobble in a clockwise and counterclockwise manner with respect to the longitudinal axis of the spring. Because the mounting plate 33 is secured to another mounting plate 32 with two spaced apart springs 53 and 54, the striking board 23, when hit, will move in a side to side, or back and forth, manner, as shown by arrows 18 and 19 in Figure 1. The two spring configuration of Dignard will prevent any substantial wobble movement of the striking board. For at least these reasons, Dignard fails to disclose each and every element as set forth in claim 1. Claims 2 and 3 depend from claim 1.

Regarding claim 15, Dignard fails to disclose a doll comprising a body and at least one image coupled to the body. Applicants are unable to find any reference to either a doll or an image in Dignard. Because Dignard fails to show the identical invention in as complete detail as contained in claim 15, Dignard cannot anticipate this claim. Claims 18, 19, 56, and 57 depend from claim 15.

For at least the reasons discussed above, Dignard does not anticipate claims 1-3, 15, 18, 19, 56, and 57. Withdrawal of this rejection is respectfully requested.

Claims 23-25, 29, and 31 were rejected as being anticipated by Core (U.S. Patent No. 3,195,256). Traversal of this rejection is made for at least the following reasons. Core fails to disclose a kit having paper and a mounting assembly adapted to secure to the back side of the paper, the mounting assembly comprising a mounting plate and a spring. The Examiner relies on an outer surface 20 of a glass pane member 11 and spring 66 of Core as being equivalent to the claimed mounting plate and spring, respectively. Core is directed to a picture frame that is adapted for pictures which have been mounted upon a stiffening member. The picture and stiffening member are inserted into the frame and a spring is used to press the stiffened picture against a piece of glass, “without the necessity of gluing or otherwise contacting said picture, so that the same may be readily removed when desired.” Further, in Core, the outer surface 20 of the glass pane member 11 does not contact the spring 66, as clearly seen in Figures. Claim 23 requires “at least one *spring secured to the mounting plate* in a substantially perpendicular manner.” A kit with paper, as required by claim 23 is also absent from Core. Thus, Core fails to show the identical invention in as complete detail as contained in claim 23. For at least these reasons, Core cannot anticipate such claim or claims 24, 25, 29, and 31, which depend therefrom.

Claims 4, 52, and 56 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dignard. Traversal of this rejection is made for at least the following reasons. Based on the reasons discussed herein, Dignard does not anticipate or render obvious independent claims 1 and 15 from which claims 4, 52, and 56 depend. Accordingly, claims 4, 52, and 56 are also believed to be allowable over Dignard. However, for the sake of argument, each of the rejected claims will be discussed herein. Regarding claim 4, the Examiner contends that it would have been a matter of design choice to substitute the bolted spring mount connection of Dignard with an epoxy resin. The apparatus in Dignard is a martial arts striking apparatus, meaning that the spring must uphold a significant amount of stress during use. One skilled in the art would never have been motivated to substitute the strong bolted connected shown in Dignard with a weaker epoxy resin connected.

Regarding claim 52, the Examiner contends that it would have been a matter of design choice to provide the spring of Dignard with any desired compressed height to accommodate any specific user. Again, making such a substitution would not make sense in light of the fact that the apparatus of Dignard is used as a striking apparatus in martial arts. A spring with such a low compressed height would be too weak for use in a martial arts striking apparatus and would likely be unable to even hold up the striking board.

Regarding claim 56, the Examiner contends that it would have been a matter of design choice to construct the body with any desired material to accommodate any specific environment. Dignard does not disclose a doll body. Moreover, martial arts striking apparatus are used indoors. It is unclear what different environments the Examiner contends will be encountered such that the material of the apparatus need be modified.

With respect to at least claims 4 and 52, making the modifications proposed by the Examiner would render the device of Dignard unsuitable for its intended purpose. For at least the reasons discussed herein, Dignard does not render any of claims 4, 52, and 56 obvious. Withdrawal of this rejection is respectfully requested.

Claims 5, 10, 16, 17, and 58 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dignard in view of Micco (U.S. Patent No. 5,280,905). Traversal of this rejection is made for at least the following reasons. Claims 5, 10, 16, 17, and 58 depend from independent claims 1 and 15, which are believed to be allowable over Dignard for the reasons discussed herein. Micco does not make up for the deficiencies of Dignard. Namely, there is nothing in Micco to teach or suggest modifying Dignard such that the striking board and mounting apparatus wobble in a clockwise and counterclockwise manner with respect to the longitudinal axis of the spring. For at least these reasons, withdrawal of this rejection is requested.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Core. Traversal of this rejection is made for at least the following reasons. Regarding claim 32, the Examiner contends that it would have been a matter of design choice to provide the spring of Core with any desired compressed height. Making such a substitution would not make sense in light of the invention of Core. In Core, the spring must be rigid and strong enough to push the picture and stiffening member against the glass. Modifying the spring to have a

compressed height of 0.099 in would render the entire picture apparatus unsuitable for its intended purpose. Accordingly, withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35502US1.

Respectfully submitted,
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